

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KIMBERLY J. NELSON,

Plaintiff,

vs.

AR SOLUTIONS, INC.,

Defendant.

8:15CV227

ORDER

This matter comes before the court after a review of the court file and pursuant to NE Civ R 41.2, which states in pertinent part: "At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution."

In this case the complaint was filed on June 22, 2015. **See** Filing No. 1. On June 23, 2015, the plaintiff sought and received summons for the defendant. **See** Filing Nos. 3-4. On July 13, 2015, the plaintiff filed notice of having served the defendant on July 9, 2015. **See** Filing No. 5. The plaintiff has taken no other action against the defendant. It remains the plaintiff's duty to go forward in prosecuting the case against the defendant. The plaintiff may, for example, file a motion for clerk's entry of default pursuant to Fed. R. Civ. P. 55 and NE Civ R 55.1(a) or voluntarily dismiss defendant, as appropriate. Under the circumstances, the plaintiff must make a showing of good cause for failure to prosecute the defendant or the action must be dismissed against it. Accordingly,

**IT IS ORDERED:**

The plaintiff has until the close of business on **September 10, 2015**, to show cause why this case should not be dismissed as against the defendant for failure to prosecute or take some other appropriate action.

Dated this 19th day of August, 2015.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge